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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	Case No.: 2:19-cr-00301-GMN-DJA
Plaintiff,)	
)	STIPULATION TO CONTINUE
vs.)	DEFENDANT'S SENTENCING
)	HEARING
)	(First Request)
FRANK SMITH,)	
)	
)	
Defendant.)	

IT IS HEREBY STIPULATED AND AGREED by and between, Nicholas A. Trutanich, United States Attorney, District of Nevada, CHRISTOPHER LIN, Assistant United States Attorney, representing the United States of America, and LUCAS GAFFNEY, Esq., counsel for defendant SMITH, that the Sentencing Hearing currently scheduled for January 6, 2021 at 11:00 A.M. be vacated and continued to a date and time convenient for the Court but no sooner than 45 days from the current setting.

This stipulation is entered into for the following reasons:

1. The U.S. Probation Office recently informed the Government and counsel for the defendant that defendant SMITH was arrested in Tennessee for the theft of 34 laptop computers from a Best Buy store in Kentucky. The Government and counsel for the defendant

1 agree that the facts and circumstances should be investigated prior to defendant SMITH's
2 sentencing hearing and to allow Probation to incorporate the facts of this arrest in the
3 forthcoming Presentence Investigation Report.

4 2. This continuance will also allow counsel for the defendant additional time to
5 obtain mitigating information relevant to sentencing disposition and to prepare for the
6 sentencing hearing.

7 3. The parties agree to this continuance.

8 4. Defendant SMITH is at liberty on the instant matter and does not object to
9 this continuance.

10 5. This is the first request for a continuance of the sentencing hearing.

11 DATED this 6th day of November, 2021.

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13 NICHOLAS A. TRUTANICH
United States Attorney

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15 /s/ Christopher Lin
CHRISTOPHER LIN
Assistant United States Attorney

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17 /s/ Lucas Gaffney
LUCAS GAFFNEY, ESQ.
Counsel for Defendant SMITH
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Defendant.

ORDER TO CONTINUE DEFENDANT'S SENTENCING HEARING

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